

CITY COUNCIL MINUTES
March 8, 2010
REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, March 8, 2010 at 6:00 p.m. with Mayor Powers presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Council Members Present: J. M. Holmes, Kevin Hanley, Bill Kirby
Keith Nesbitt, Bridget Powers

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Community Development Director Will Wong, Assoc. Planner Lance Lowe, Fire Chief Mark D'Ambrogi, Public Works Director Jack Warren, Engineering Division Manager Bernie Schroeder, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Police Chief Valerie Harris, and Captain John Ruffcorn

MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS

Proclamation for Boys and Girls Club of Auburn
Commendation for Wade Andrews and April O'Dell

AGENDA APPROVAL

Michael Otten, Snowy Owl Way, Auburn, requested items #11 and #12 be moved to the AUDA agenda (not approved).

Council Member Holmes would like item #14 to be heard after item #7 as #7a.

By **MOTION**, approve agenda with the change requested by Council Member Holmes: **MOTION: Hanley/Holmes/Unanimous**

CONSENT CALENDAR

1. **Warrants**

By **RESOLUTION 10-16** ratify and approve Warrants # 74027 through # 74469 totaling \$ 2,967,793.84.

2. **Minutes**

By **MOTION** approve City Council Minutes of 02/08/2010

3. **Quarterly Report of Investments – Quarter ending December 31, 2009**

Receive, review and file the “City of Auburn Quarterly Investment Report” for the quarter ending December 31, 2009.

4. **Authorization of Appointment to the Board of Directors for the California Transit Insurance Pool (CalTIP)**

By **RESOLUTION 10-17**, authorize the appointment of the position of Engineering Division Manager as the Board of Director and the position of the Administrative Analyst/ Transit Manager as the Alternate Director to the California Transit Insurance Pool.

5. **State Route 49/ Borland Avenue/ Lincoln Way Intersection Modification Project – Notice of Completion**

By **RESOLUTION 10-18**, authorize the recording of a Notice of Completion for the State Route 49/ Borland Avenue/ Lincoln Way Intersection Modification Project.

***** End of Consent Calendar *****

By **MOTION** approve the consent calendar.

MOTION: Nesbitt/ Holmes/ Approved 5:0

6. **Public Comment**

Dan Sokol, resident on Deerwood Place, Auburn inquired when the flag would be reinstalled in Central Square.

7. **Milestones**

Fire Chief Mark D'Ambrogi recognized Firefighters John Rogers and Rob Zaucha for their work on a recently awarded grant.

7a. **Report from the Brewery Lane Ad Hoc Committee**

Council Member Holmes gave background on the committee and reviewed current status of Brewery Lane.

Council Member Hanley said he would like to see the committee facilitate the dialog between residents and business owners to come to a compromise.

Council Member Nesbitt asked for staff for create a couple of different designs of how this property could be developed for parking.

Ty Rowe, VP of OTBA, Business Owner in Auburn, expressed that he is in favor of additional parking in Old Town. He also said parking enforcement is crucial, as stated in the parking study.

Carie Arndt, President of OTBA and Business Owner on Sacramento Street, Auburn expressed her support for more parking in Old Town.

Ross Carpenter, 2nd VP of OTBA and Business Owner on Sacramento Street, expressed his support for more parking in Old Town.

Bob Snyder, resident on Marina Ave., Auburn, addressed the process for the disposition of City property and said he would like to see a plan presented at a public hearing at Council about this issue.

Brian Hayes, resident on Greyfox Lane, Auburn, stressed importance of parking study. He also spoke about management of current parking.

By **MOTION**, direct staff to clear underbrush from the property, provide a range of 2 or 3 parking options, report on a timeline and thoughts on implementing the major implications of the parking study and make recommendations on developing a park in the area.

MOTION: Hanley/Kirby/Approved 5:0

REPORTS

8. **Auburn Fire 2009 Incident Response Report – Follow-up from February 8, 2010 Report**

Item was postponed to a later meeting.

9. **Current Wastewater Treatment Permit Upgrade and Sewer Related Projects - Update**

Public Works Director Jack Warren introduced Eng. Div. Manager Bernie Schroeder, Administrative Analyst Megan Siren and City Wastewater Consultant Dan Rich who reported on the issue. (Slideshow available for review in City Clerk's Office)

Council Member Kirby confirmed that the original estimate was much higher than actual cost and congratulated staff on the savings.

10. **City Council Committee Reports**

Council Member Holmes said Sierra Economic Development Corp. is working on broadband service out to airport. He said in June, National Geographic Society, Sierra Business Council and Sierra Nevada Conservancy, are nominating locations to add to the Geotourism map available through National Geographic Society.

Council Member Nesbitt said the Placer County Transportation Planning Agency met and there is no plan on consolidation of area transit.

Mayor Powers said the Economic Development Commission, along with the City, held the Ribbon Cutting for Phase 1 of the Streetscape. She thanked all involved.

Mayor Powers said the Airport Business Park Association Committee is meeting March 31, 2010 from 5:30-7:00pm.

Mayor Powers said the Auburn Police Department is working on getting a Volunteer Academy together soon.

COUNCIL BUSINESS

11. **Streetscape History and Art Advisory Ad Hoc Committee Recommendations for Central Square**

Chris Packard, resident on Skyridge Drive, Auburn and representative of SHAAC, presented the history of the SHAAC committee.

Harvey Roper, business owner in Auburn and representative of SHAAC, presented the current state of the committee recommendations.

Mike Emmert, resident on Oak View Terrace and representative of SHAAC, presented the recommendation of the SHAAC to the Council. He said the recommendation for Central Square is a "Confluence" theme with 3 parts to the story: The Maidu Indians, The Gold Rush and Endurance Events as they pertain to the American River and its confluence.

Council Member questions followed: (1) which statue is to go on which pedestal, and (2) different ways to tell the story of Auburn.

Sue Dings, resident on Terrace Street and Chair of Auburn Arts Commission, expressed her concern about Central Square's theme as it relates to the Artists and Art Pieces.

Mike Emmert clarified that the one theme for Central Square is "The Confluence of the River".

Cheryl Maki, resident on Arroyo Drive, expressed her support of SHAAC's recommendations on theme. She said a price range should be established for art pieces for pedestals.

Bob Snyder, resident on Marina Ave, Auburn, recognized the committee for their hard work and stated his support of the recommendations.

Michael Otten, resident of Auburn and representative of SHAAC, shared his disapproval of the committee's recommendations.

Ty Rowe, also a SHAAC member, expressed his support for the presented ideas, including endurance themes.

Dan Luper, resident on Pine Crest Avenue, Auburn, expressed concern about including endurance in the theme in Central Square.

Art Rudd, resident on Sierra View Circle, Auburn, recognized the work SHAAC completed. He spoke about Auburn's History and the importance of reflecting it accurately.

Melanie Barton, resident on Maple Street, Auburn, encouraged the committee to reconsider their recommendations in terms of the statue. She said it's important to keep in mind what influenced Auburn.

John Knox, resident on Agard Street, Auburn, suggested that a timeline for the Streetscape would establish criteria for locations. He said it's important to tell Auburn's history accurately.

Chris Packard, SHAAC, invited the public to bring their comments to future SHAAC meetings.

Council Member Nesbitt clarified that Endurance is not the dominant theme. He said there is much more Streetscape area to cover in the future, where the whole story can be better told.

Council Member questions followed regarding: (1) tribal involvement in process, (2) notorious characters, (3) accuracy of history, (4) existing landmarks throughout the City, (5) funding and public perception, (6) deadlines of committee, and (7) public attending SHAAC meetings.

By **MOTION**, approve the theme of Central Square, The River and Confluence with Gold Rush theme statue on large pedestal, Endurance theme statue on the second/ smaller pedestal and direct committee to reconsider the Maidu Indian and Gold miner theme for third statue.

MOTION: Hanley/ Kirby/ Approved 4:1

12. **Approval of Streetscape Phase 1 – Outdoor Seating/ Encroachment Permit Guidelines**

Assoc. Planner Lance Lowe discussed sections within guidelines for permit. (Presentation available in City Clerk's Office).

Council Member Holmes asked about the permit not being "permanent". He asked about the term of the permit. He also clarified that when an event is taking place outside restaurant, that the restaurant would still have ultimate control over their outdoor seating.

Council Member Kirby said he wants to see a permit for other than restaurant type stores to have outdoor uses.

Director of Community Development clarified that the permit would be as permanent as the business, as long as guidelines are followed. He said if the business owner changes, the permit will need to be reissued. He stressed this permit is for outdoor seating only, not for other outdoor uses.

He said he will bring back the issue to Council of extending seating beyond a business' own property.

Jim Bril, business owner on Lincoln Way, Auburn, said he would like to see the issue addressed of using outdoor space for things other than seating. He said this will help encourage more outdoor business.

Adele Wise, business owner on Lincoln Way, Auburn, expressed concern about businesses being able to encroach in the front of her business.

By **RESOLUTION 10-19**, approve the Outdoor Seating/ Encroachment Permit Design Guidelines to permit outdoor seating within the Streetscape Phase 1 area. **MOTION: Holmes/ Hanley/ Approved 5:0**

13. **Staff Analysis of Potential Charter City Status for Auburn**

Council Member Hanley asked staff to provide an analysis on the benefits of becoming a charter city: (1) How would volunteer activities be impacted if the temporary exemption to the requirement that volunteers be paid the prevailing wage on public works projects is not extended by the state Legislature? (2) If the City was exempted from requiring contractors to pay prevailing wage on locally funded capital projects? (3) Exemption related to public contracting laws and have more flexibility in awarding contracts to local builders and to use design-build contracts? and (4) Pros and cons of Charter City Status and whether a City has ever repealed its charter and reverted back to being a general law City?

Council Member Holmes said he heard the County of El Dorado is trying to revoke their charter status.

Council Member Kirby said he would like to provide a timeline for this project/ analysis, being that it is not top priority.

Mayor Powers had a question about fiscal impact. She also said Annabelle McCord has sat on a board regarding this topic and maybe she could be a resource. She said she believes the Legislature will extend the exception for volunteers because it is so important to so many cities.

Dan Sokol, resident on Deerwood Place, Auburn, expressed his support of looking at the option of Auburn a becoming charter city.

By MOTION, direct staff to provided analysis of the pros and cons of becoming a charter city as outlined in the report. **MOTION: Hanley/ Nesbitt/ Approved 5:0**

15. **Ballot Measures to Make City Clerk an Appointed Position**

Council Member Holmes introduced this item. He said the idea of the City Clerk being elected has shifted over the past few years. He said it's important to look at putting this issue on the November ballot.

Council Member Kirby asked about the impact on staff.

Council Member Hanley asked about fiscal impact. He said if the City Clerk were an employee "you increase the likelihood that person would be influenced by politics or something as far as putting minutes together, the form 700s, etc".

Council Member Holmes said this would not result in additional staff because the current Deputy would become the City Clerk. He said staff could do an analysis on the fiscal impact.

Dan Sokol, resident on Deerwood Place, Auburn, said he strongly opposes the idea of an appointed City Clerk and recommends not putting it on the ballot.

Bob Snyder, resident on Marina Ave, Auburn, expressed his support for an appointed City Clerk and said it would have a positive fiscal impact. He said an appointed City Clerk results in "higher level of professionalism".

Council Member questions followed regarding (1) staff analysis, (2) needing more information, (3) short-term costs, (4) "checks and balances on our government."

By MOTION, direct staff to research the issue of making the City Clerk an appointed position including any costs savings and other legal issues that may arise. **MOTION: Holmes/ Nesbitt/ MOTION FAILED 2:3**

ADJOURNMENT

Mayor Powers adjourned the meeting, without objection, at 8:45 p.m., to a meeting of the Auburn Urban Development Authority.

Bridget Powers, Mayor

Joseph G. R. Labrie, City Clerk